

October 8, 2020

VIA CM/ECF

The Honorable Robert D. Drain
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
300 Quarropas St.
White Plains, NY 10601

**Re: *Marlaina Koller Croes* (20-22239-rdd) — Proposed Bar Date Order
[Doc. Nos. 54-55, 57 & 66]**

Dear Judge Drain:

We are counsel to Marlaina Koller Croes (the “Debtor”), the debtor and debtor-in-possession in the above-referenced matter.

On July 20, 2020, we noticed for presentment, the *Debtor’s Application For Order (i) Establishing the Deadline for Filing Proofs of Claim; and (ii) Approving the Form and Manner of Notice Thereof* [Doc. Nos. 54-55] (the “Application”). Attached to the Application as Exhibit A was a proposed Order (the “Proposed Order”) [Doc. No. 54-1] granting the relief sought therein. A proposed *Bar Date Notice* was annexed to the Application as Exhibit B.

Pursuant to the *Notice of Presentment*, and in accordance with the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and the Local Bankruptcy Rules for the Southern District of New York, objections to the Application and the relief requested therein were to be filed and served, so as to be received no later than July 31, 2020 at 5:00 p.m.

We neglected to timely submit the Proposed Order to Chambers. On September 14, 2020, we filed a *Certificate of No Objection* [Doc. No. 66] with respect to the Application, and submitted a copy of a revised proposed order to Chambers for signature. The revision of the order was made to comply with the notice requirements of Bankruptcy Rule 2002(a)(7).

Unfortunately, it appears your Chambers has not had an opportunity to process the revised proposed order. Therefore, we write to submit a second revised proposed order, a copy of which is annexed hereto as *Exhibit A*, and a second revised *Bar Date Notice*, a copy of which is annexed hereto as *Exhibit C*.¹ The second revised proposed order merely further extends the

¹ Redline copies marked against the versions filed with the Application are annexed hereto as *Exhibits B & D*.

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proposed bar date so that we can afford creditors an adequate opportunity to file proofs of claim. If acceptable, we kindly request that the second revised proposed order be entered, and apologize for any inconvenience our delay may have caused.

We thank the Court in advance for its time and consideration.

Respectfully,

/s/ Sanford P. Rosen
Sanford P. Rosen

SPR/clm

cc: Greg M. Zipes, Esq. (via email)